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SUBJECT: NATIONAL ASSEMBLY -- FLEXING ITS MUSCLES

Ref: A. Hanoi 1553 B. Hanoi 1713 C. Hanoi 1196
- D. Hanoi 956 E. 03 Hanoi 31561

1. (U) Summary. Vietnam's National Assembly (NA) ended its summer session on June 15 after approving a record number of laws and resolutions, thanks in large part to the implementation of a new legislative procedure. Several Cabinet members faced strong and well-publicized criticisms of their performance from delegates, who nonetheless did not invoke their power of votes of confidence/no confidence (ref a). While still limited, the NA is moving in the right direction to assume a more independent and influential role, at least by voicing public dissatisfaction over selected areas of GVN performance. End Summary.

2. (U) During the 5th session of the 9th National Assembly (elected in May 2002), the NA implemented a new legislative procedure that requires that any bill, before being submitted to the full National Assembly for review and possible adoption, must have been first thoroughly discussed by legal experts, full-time delegates, provincial parliamentarian delegations, and the National Assembly Standing Committee (NASC). The goal is to enable the plenary NA to focus on controversial aspects of proposed legislation, instead of spending time arguing about wording and terminology. With the new procedure in place, NA delegates discussed and approved seven laws and regulations, including the Civil Procedures Code. According to NA Vice Chairman Nguyen Van Yeu, the NA took only two and a half days to pass this new Code, which has 418 articles. In contrast, he noted, the NA needed sixteen days in 1999 to debate and approve amendments to the Criminal Code, which had only 340 articles.

3. (U) The NA notably ratified the Tonkin Gulf Agreement with the PRC (ref b). Additionally, the NA passed some housekeeping regulations guiding the operations of the NASC itself as well as of the NA's seven Committees and its Ethnic Minorities Council. Delegates also offered comments on five other bills. Sources in the Office of the National Assembly (ONA) asserted that these actions represented the highest number of laws and documents ever passed during a single NA plenary session.

4. (SBU) However, open dissatisfaction by many NA deputies over the GVN's "consistently poor performance" rather than the high number of laws passed was most noteworthy aspect of this NA session, according to Nguyen Chi Dzung, editor-in-chief of the ONA's "Legislative Affairs Journal," and Le Tho Binh, chief of the Hanoi Office of the Ho Chi Minh City-based "Law Journal." According to Dzung, delegates clearly raised their concerns about the GVN's failure efficiently to deal with quite a number of long pending issues. Speaking to the full NA, Vice Chairman Truong Quang Duoc echoed the delegates' views, bemoaning "chronic" problems such as the economy's inefficiency and its low competitiveness, lack of overall economic planning, scattered State investment, and high losses from State-funded projects.

5. (U) Delegates Duong Trung Quoc and Mai Quoc Binh from Hanoi and Ho Chi Minh City, respectively, voiced concern over the lack of long-term strategic planning for the country. According to Quoc, the GVN is only good at introducing "situational measures." Binh, a former vice chairman of the Ho Chi Minh City People's Committee, asserted that, despite a growth rate of 11 per cent in GDP in 2003, Ho Chi Minh City's developments are still only "partial and sectional." According to deputy Bui Ngoc Thanh from Thanh Hoa province, with the current pace of losing agricultural land, about 1.5 million people from rural areas would become unemployed every year. Delegate Nguyen Thi Nuong from mountainous Cao Bang province asserted there are communes where up to sixty per cent of the households are still considered below the poverty level, despite of various national programs designed to tackle poverty in remote mountainous areas.

6. (SBU) Dzung and Binh separately opined that such keen dissatisfaction by many deputies over poor GVN performance accounted for the unusually tough Q&A sessions with seven cabinet members (Health, Transportation, Planning and Investment, Education and Training, Sports, Culture and

Information, and Natural Resources and Environment), which were televised live over a three-day period. Several deputies called upon ministers to take personal responsibility for failing to find solutions to newly emerging issues such as the sharp price index increase and high cost of medicines, as well as other long-standing issues in the fields of investment and planning, land management, education, and transportation. The ministers acknowledged failures and mistakes, but generally refused to accept "political responsibilities." The Minister of Education and Training, with obvious irritation after three hours of grilling, asked sarcastically if he had yet acknowledged "enough" mistakes. The Minister of Transportation asserted that he did not intend to promise anything. The Minister of Public Health, however, was thought by many experts to have acquitted herself surprisingly well. The NA also passed a resolution affirming the Government's decision to relieve Minister of Agriculture and Rural Development of his responsibilities (ref c).

17. (U) The blunt debate over the "political responsibility" of individual cabinet members, which was widely covered by local media, prompted some sharp rejoinders from high ranking GVN officials. First Deputy Prime Minister Nguyen Tan Dung (also an NA delegate) commented to local press that it was after all "much easier" for deputies simply to come up with criticisms. Speaking to the NA following the Q&A session, Prime Minister Phan Van Khai (another NA delegate) asserted instead that "in our country, it's always a shared responsibility." The PM's spokesperson later shared with a popular electronic newspaper a letter by four voters "consoling" the ministers. Media contacts subsequently confirmed to Embassy that the electronic newspaper had received compliments from the CPV Commission for Ideological and Cultural Affairs for having been willing to publicize the letter.

18. (U) Some observers noted that many delegates had been unhappy that the Prime Minister had only chosen to "speak" to the NA, instead of "standing for questions" from deputies. (He also chose DPM Dung to read the Government report at the opening ceremony on May 11, rather than present the score card himself.) Some delegates blamed PM Khai for going against the trends of ongoing administrative reform and perhaps even the Constitution with his "shared responsibility" argument, said Dzung. (The Constitution requires that cabinet ministers and other Government members are accountable to the Prime Minister and the National Assembly.)

19. (U) Comment: While still primarily a talkfest, public relations tool, and official rubberstamp for the Government, the NA continues to flex its muscles by voicing ever more open criticism of the GVN and by laying the groundwork for possible punitive actions against poorly performing Ministers and Ministries. Increased public attention has created new pressure on NA deputies to speak out more forcefully on issues of special popular concern, such as traffic safety, corruption, inflation, etc. The NA has a long road to go toward assuming a more truly independent and effective role, but it is moving in the right direction.
BOARDMAN